

HCS HB 2402 -- REGULATION OF HOSPITALS (Bondon)

COMMITTEE OF ORIGIN: Standing Committee on Health and Mental Health Policy

This bill requires the Department of Health and Senior Services to promulgate regulations for the construction and renovation of hospitals that include life safety code standards for hospitals that exclusively reflect the life safety code standards imposed by the federal Medicare program under federal laws and regulations. The bill prohibits the department from requiring a hospital to meet the standards contained in the Facility Guidelines Institute for the Design and Construction of Health Care Facilities but any hospital that complies with the 2010 or later version of such guidelines for the construction and renovation of hospitals must not be required to comply with any regulation that is inconsistent or conflicts in any way with such guidelines. The department is authorized to waive the enforcement of the standards imposed by these provisions if the department determines that compliance with those specific standards would result in unreasonable hardship for the facility and if the health and safety of hospital patients would not be compromised by the waiver or waivers.

Regulations promulgated by the department to establish and enforce hospital licensure regulations that conflict with the standards established under these provisions must lapse on and after January 1, 2018.

Currently, facilities operated by the state are not required to obtain a certificate of need, appropriation of funds to such facilities by the General Assembly are deemed in compliance with certificate of need provisions, and such facilities are deemed to have received an appropriate certificate of need without payment of any fee or charge. The bill requires hospitals operated by the state and licensed under Chapter 197, RSMo, to obtain a certificate of need and comply with the other provisions of certificate of need except for Department of Mental Health state-operated psychiatric hospitals. Certain types of equipment can still be purchased without a certificate of need.

Hospital licensure regulations governing life safety code standards may incorporate by reference later additions or amendments to the rules, regulations, standards, or guidelines as needed to consistently apply current standards of safety and practice.

This bill contains an emergency clause.

This bill is similar to HB 1290 (2015) and HCS HB 2441 (2016).